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The JFK Assassination: Why Congress Should Reopen the Investigation

BY ROBERT BLAIR KAISER

I. A WARREN COMMISSION MEMBER CALLS TO REOPEN THE CASE

At long last, one of the members of the Warren Commission is willing to stand up and say he thinks the time has come to reopen an official inquiry into the assassination of President John F. Kennedy.

The man is Burt W. Griffin, now a judge on the state trial bench in Cleveland, Ohio. "The case ought to be reopened," he says. "It's still an important public issue. It's not at all clear to me how to approach it. But the public is concerned and it's all tied in with everything that's been happening in our government for the past ten years."

What's been happening is a trend toward "Big Brother government and the implicit threat this represents to the freedom of the people," says Senator Frank Church, who heads a congressional committee about to plunge into an investigation of the entire U.S. intelligence community.

Judge Griffin's forthright stand—the first time any member of the Warren Commission has dared suggest the commission didn't get all the answers—should come as no surprise to the majority of Americans who, as early as 1966, according to a Gallup poll, did not accept the conclusions the Warren Report: that Lee Harvey Oswald, acting alone, assassinated President Kennedy and that nightclub owner Jack Ruby, acting alone, killed Oswald two days later in the Dallas police station.

And Judge Griffin's reasons for reopening the case should come as no surprise to longtime critics of the Warren Report. Says Judge Griffin: "I don't think some agencies were candid with us. I never thought the Dallas police were telling us the entire truth. Neither was the FBI. I wrote a memo in late August of 1964 to the director of the commission [J. Lee Rankin], in which I laid out a whole series of evidentiary questions. We only got answers on two or three of them."

Judge Griffin didn't keep copies of his own memos and the original of that memo isn't where it ought to be in the National Archives in Washington. But one of the evidentiary questions Griffin recalls had to do with fingerprints other than Oswald's on the packing cases in a sixth-floor room of the Texas School Book Depository. After some delays, the FBI finally confessed to the commission that the other prints belonged to an FBI agent. "We accepted the answers we got," says Judge Griffin, "even though they were inadequate and didn't carry the battle any further. To do so, we'd have had to challenge the integrity of the FBI and the CIA. Back in 1964, that was something we didn't do."

Another staff lawyer on the Warren Commission confirmed Judge Griffin's view, if somewhat less courageously. Asked whether he got everything he wanted from the FBI, he paused for about 15 seconds and said, "Off the record?" Why would he want the obviously negative reply off the record? "Because of possible reprisals from the FBI," he said. "Though I'm worried about that less now than I was when Hoover was the director."

The informal testimony of Judge Griffin and his colleague confirms the findings of the independent critics of the Warren Commission.

These critics have dramatic new documentation which proves that the Warren Commission investigation was never the free and independent inquiry we'd been told; that the FBI concluded, too soon, there was no conspiracy and then in an effort to justify its early conclusions did a grudging reinvestigation whose only purpose was to prove its own premature conclusions.

The critics' most important piece of documentation: a longtime top secret transcript of an executive session of the Warren Commission on January 27th, 1964, which was declassified only last year (after a long and expensive Freedom of Information suit filed by Harold Weisberg). That transcript suggests the FBI and other intelligence agencies may possess significant information they withheld from the commission. The information may still be available in some agency's files or in the "OC" (official and confidential) files moved to J. Edgar Hoover's home at the time of his death in 1972.

Critics have been calling for a reopening of the JFK assassination case for years. Some of the calls have come from crackpots, others from solid analysts. Most of the calls, however, lacked focus and some of the questions had no reasonable hope of a solution.

But Judge Griffin's comments and the documentation of the critics help narrow the scope of any inquiry and make it possible for a congressional committee to ask questions that have answers. They can subpoena Dallas policemen as well as key figures like Marina Oswald; they can subpoena the files of U.S. intelligence agencies which were aware of Oswald long before November 22nd, 1963.

Peter Dale Scott, a Warren Commission critic who teaches English at the University of California at Berkeley, insists that abundant clues point to a conspiracy "demonstrable from the very procedures which it used to cover its traces" à la Watergate.

The time is right for reopening the case in another sense. The assassination seems to dominate the national subconscious. A majority, as polls show, have always had their doubts. Watergate, White House horrors and high-level coverup have only deepened doubts about America's ugliest murder mystery. Recent news stories only serve to intensify them.

A 1960 memo from J. Edgar Hoover to the State Department surfaced in 1975. It is a warning from the director that someone posing as Lee Harvey Oswald in Russia might try to get Oswald's U.S. passport. In itself, the memo may not be significant: Oswald's mother had complained to the FBI that she'd sent a birth certificate to Oswald in Switzerland and he'd never received it. But, linked to other reports that "a second Oswald" left traces in New Orleans, Miami, Dallas and Mexico City in 1963 and that some (even members of the Warren Commission) speculated that Oswald may have worked with the FBI as an undercover agent, the memo is a startling clue that Hoover and the FBI knew something about Oswald they

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never told the commission. Why would J. Edgar Hoover himself be concerned about an obscure American defector working in a factory in Minsk? David Slawson, formerly a staff lawyer on the Warren Commission and now a professor of law at the University of Southern California, has one innocent explanation: "The signature of J. Edgar Hoover went on *all* the official communications coming out of the FBI. Hoover probably never saw the memo."

Nevertheless, the memo raises questions: Robert Kennedy's aides confirm the continuing rumor that the CIA contracted with the American Mafia to assassinate Cuba's premier, Fidel Castro. It is an unsettling development, shocking to the American people, doubly shocking to those in foreign countries who still have to deal with an American government which may use assassination as a political tool. But as Tom Wicker pointed out in the *New York Times*: "The mentality that can order or condone murder for political purposes abroad need not be greatly warped to order or condone murder for political purposes at home, particularly when the instrument to carry it out is ready at hand."

The doubts about the assassination of President Kennedy become part of an atmosphere that nurtures the dreams of dramatists. In *The Last Man at Arlington*, a best-selling novel by Joseph DiMona, the CIA plots President Kennedy's murder. In *The Tears of Autumn*, novelist Charles McCarry spins another theory: The Diem family planned President Kennedy's death in retaliation for the American assassination of President Ngo Dinh Diem.

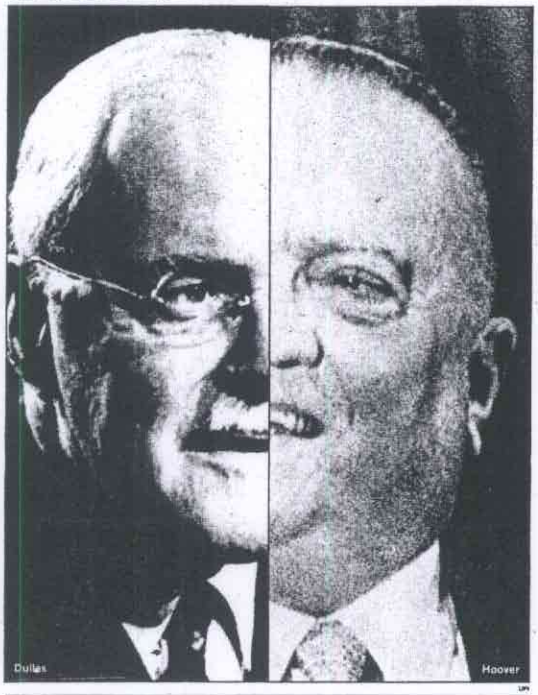
A very bad movie, *Executive Action*, attempts in documentary fashion to reveal how the real assassins killed President Kennedy; thousands flock to see it. In a better movie, *The Parallax View*, Warren Beatty plays a reporter who uncovers the plot by a major U.S. corporation to kill U.S. leaders. At the movie's end, the plotters kill him, too. The doubts and the drama poison America with fear and a feeling of frustrated helplessness.

Confronted by this, many Warren Commission members defend their work like so many Pontius Pilates: *Quod scripsi, scripsi*, what I have written, I have written. Commissioner John J. McCloy, now a New York lawyer, says, "I never saw a case more completely proven." Staff lawyer Leon D. Hubert Jr., now professor of law at Tulane University, says, "We tried, man, we tried. Each of us said, 'If I can break this thing wide open, I'm made.' But none of us found it was anybody but Oswald." Staff lawyer Wesley J. Liebeler, now director of policy planning for the Federal Trade Commission, says, "There's no question in my mind that the conclusions of the Warren Commission aren't correct." Staff lawyer Melvin Aron Eisenberg, now a law professor at Boalt Hall in Berkeley, doesn't return an inquiring phone call and tells his secretary to call back with the message, "I have no doubts."

But others reacted in quite different ways. Representative Henry Gonzalez of Texas recently introduced a resolution in the House of Representatives asking for a congressional inquiry into the assassinations of John and Robert Kennedy, Martin Luther King and the attempted assassination of George Wallace. A week later, six congresspersons appeared at a town meeting on New York's Upper East Side and endorsed the Gonzalez resolution. The representatives were: Bella Abzug, Herman Badillo, Mario Biaggi, Elizabeth Holtzman, Edward Koch and Benjamin Rosenthal. Another Manhattan congressman, Charles Rangel, added his endorsement a few days later.

The time is right. Congress—whether through the new committee proposed by Representative Gonzalez or through the Church committee in the Senate—must investigate the JFK assassination.

It seems clear now that the FBI and other agencies including the CIA and the Secret Service were playing games with the Warren Commission. The agencies were behaving as if they had something to hide. Just what they were hiding is open to official inquiry.



"If Oswald had been in the employ of the FBI, they would have denied he was an agent" — Warren Commission member Rankin. "Oh yes," Dulles replied.

II. The Recently Discovered Transcript of an Executive Session

Some Warren Commission critics believe they were hiding Lee Harvey Oswald's intelligence connections. As we have learned in the past few months, after then attorney general Saxbe's revelations about the FBI's Cointelpro and CIA director Colby's report to President Ford on the CIA, both agencies were embarked in the early Sixties on a massive domestic spy effort. It was a big, expensive program that added to the size and power of the FBI and CIA empires.

The last thing the FBI or the CIA needed was public exposure of (and a public reaction against) their programs —by having a Lee Harvey Oswald tied to them. Whatever Oswald's real role was, no one in the U.S. government engaged in spy-counterspy games wanted to assume any responsibility for him.

The transcript of the commission's executive session of January 27th, 1964, demonstrates the commission's concern about this possibility—a possibility pointed out to the commission by some of the top law enforcement officials in Texas. These officials had heard a rumor that Oswald might have been an informant for the FBI, that he was paid $200 a month and that he even had an FBI number, S. 179. Commission member Gerald Ford, recalling the moment when general counsel J. Lee Rankin gave this news to the commission, said the members "looked at one another in amazement" and spent a good deal of time wondering what to do about the news.

The commissioners took it seriously. In fact, they asked the Texas officials to fly to Washington immediately for a meeting with them. On Friday, January 24th, Warren and Rankin met with five of the top lawyers in Texas: Waggoner Carr, attorney general; Robert Storey, dean emeritus of the law school at Southern Methodist University; Dallas DA Henry Wade; Dallas assistant DA Bill Alexander and Leon Jaworski, special counsel for the Texas Court of Inquiry (whose projected investigation was preempted by the work of the Warren Commission).

On the commission's next working day, Monday, January 27th, all of the commission members except Representative Gerald Ford showed up for an executive session. Soon after the meeting began, Rankin showed where he stood: "We do have a dirty rumor that is very bad for the commission, very damaging to the agencies that are involved in it and it must be wiped out insofar as it is possible to do so by this commission." The possibility that it might be true doesn't occur to Rankin. Or, if it does, then the whole question is one that is beyond him. Rankin simply wants to get an official denial from the FBI.

Warren wants to go to the sources of the story "to see if there is any substance to the claim."

Senator Richard Russell agrees with Warren. "If you went down there in the first instance to the FBI and got a statement and when you start pursuing it you would look like you are impeaching." ("Impeaching" here means "attacking the credibility of" the FBI.)

"This is my point," says Warren.

"Exactly," says Representative Hale Boggs.

Senator Russell says, "The best way to handle it would be to try to exhaust it at the other end before you go to the FBI."

Allen Dulles says the FBI has *already* issued a categorical denial of the Oswald-agent story in the *New York Times*. (It is interesting that Dulles, a former CIA director, is so ready to consider the question closed.)

But John McCloy doesn't give the FBI's categorical denial much weight, and Senator Russell points out that the commission may be dealing with spooks, a notoriously lying breed. Says Russell: "If Oswald never had assassinated the president or at least been charged with assassinating the president and had been in the employ of the FBI and somebody had gone to the FBI they would have denied he was an agent."

"Oh, yes," says Dulles.

Russell says, "They would be the first to deny it. Your agents would have done exactly the same thing."

"Exactly," says Dulles.

Well, then, where can the commission go to establish the facts? Boggs says they seem to have gotten themselves into a box. Someone suggests the commission go to the attorney general. Rankin says he doesn't see how Attorney General Robert Kennedy can come right out and ask Hoover what was happening.

McCloy wants the reasons for that spelled out. His outrage at the reversal of power inside the Justice Department warms the cold transcript: "Just why would it be embarrassing for the attorney general of the United States to inquire of one of his agencies whether or not this man who was alleged to have killed the president of the United States was an agent? Does the embarrassment supersede the importance of getting the best evidence in such a situation as this?"

Senator John Sherman Cooper says that for Bobby Kennedy to do so would imply that Bobby thought there was something wrong in the bureau. Even so, McCloy says, "It still wouldn't divert me from asking. It is an awkward affair. But as you said the other day, truth is our only client."

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Boggs agrees and McCloy says, "I don't think we could recognize that any door is closed to us unless the president closes it to us." McCloy says he wants to get to the bottom of all this.

Dulles says McCloy may be asking the impossible. "How," asks Dulles, "do you disprove a fellow was not your agent?"

Boggs wonders whether Dulles, as head of the CIA, had had agents with no records.

"The record might not be on paper," says Dulles. "But on paper [we] would have hieroglyphics that only two people knew what they meant, and nobody outside of the agency would know and you could say this meant [one] agent and somebody else could say it meant another agent."

Boggs mentions the U-2 pilot, Francis Gary Powers. Dulles says Powers had a signed contract with the CIA. Boggs says, "Let's say Powers did not have a signed contract but he was recruited by someone in CIA. The man who recruited him would know, wouldn't he?"

"Yes," says Dulles, "but he wouldn't tell."

Justice Warren seems surprised. "Wouldn't tell it under oath?" asks Warren.

Dulles says, "I wouldn't think he would tell it under oath, no."

"Why?" asks Warren.

Dulles has to give the commission a little lesson. "He ought not tell it under oath. Maybe not tell it to his own government but wouldn't tell it any other way."

McCloy says, "Wouldn't tell it to his own chief?"

Dulles says, "He might or he might not. If he was a bad one, he wouldn't."

Boggs may have thrown up his hands here. "What you do is you . . . make our problem utterly impossible because you say this rumor can't be dissipated under any circumstances."

Dulles says, "I don't think it can, unless you believe Mr. Hoover, and so forth and so on, which probably most of the people will."

Furthermore, Hoover may have had a reason to hire Oswald. "It is Mr. Hoover's job to watch the Fair Play for Cuba Committee and try to penetrate it in any way he could," says Dulles. But he doesn't believe the FBI did hire Oswald. "He was not the kind of fellow that Hoover would hire . . . He was so stupid."

McCloy says, "I wouldn't put much confidence in the intelligence of all the agents I have run into. I have run into some awfully stupid agents."

Dulles says, "Not *this* irresponsible." (Irresponsible is a strange description of an assassin of a president. If Oswald was a lone nut, then "irresponsible" is simply the wrong word. To whom would Oswald be responsible?)

McCloy counters, "Well, I can't say that I have run into a fellow comparable to Oswald but I have run into some very limited mentalities both in the CIA and the FBI."

The commission's meeting room rumbles with what the stenotypist describes as "laughter."

Warren tries to sum up: "Agencies do employ undercover men who are of terrible character."

The man who immediately agrees with Warren is the one man on the commission who should know. Says Dulles, "Terribly bad characters."

Rankin is impatient with all this. "Would it be acceptable to go to Mr. Hoover," says Rankin, "and tell him about the situation and that we would like to go ahead and find out what we could about these—"

"Well, Lee," interrupts Warren, "I wouldn't be in favor of going to any agency and saying, 'We would like to do this.' I think we ought to know what we are going to do and do it, and take our chances one way or the other. The most fair thing to do would be to try to find out if this is fact or fiction."

Rankin is afraid of Hoover and says so. "What I was fearful of was the mere process will cause him to think . . . that we are really investigating him."

"If we are investigating him," says Warren, "we are investigating the rumor against him; we are investigating him, that is true."

The implication—that the commission may have to investigate Hoover—seems to bother Boggs. "Mr. Dulles," says Boggs, "when you headed up the CIA, the notion that you would know the countless informers and people employed by the agencies was fantastic. You couldn't know about all of that."

"No," replies Dulles. "But by this time I would have known whether we did hire him or not."

McCloy says, "You would know in this case who, if there was anybody, who would have hired Oswald, who it would be."

Dulles admits that he'd know what area to look in. "Someone," he concedes, "might have done it without authority. The CIA has no charter to hire anybody for this kind of work in the United States. It has abroad, that is the distinction. But the CIA has no charter. I don't say it couldn't possibly have done it but it has no charter of authority to run this kind of agent in the United States."

Was the CIA involved with Oswald? There is reason to believe that the CIA performed its own unpublicized investigation on Oswald after the assassination. Yet there's little on the record of what the CIA told the Warren Commission.

This is serious business and McCloy lodges the first open complaint about the situation: "I would think the time is almost overdue for us being as dependent as we are on FBI investigations, the time is almost overdue for us to have a better perspective of the FBI investigation than we now have."

Rankin takes part of the blame for that. He says that he and his staff need more time to study the FBI's supplemental report, given to them two weeks before. He says the supplemental report answered many of the commission's questions—but not all of them: "There are vast areas that are unanswered at the present time," says Rankin. And then he explains the trouble he is having with the FBI. "Part of our difficulty," he says, "is that they have no problem. They have decided that it is Oswald who committed the assassination, they have decided that no one else was involved, they have decided—"

Senator Russell interrupts. "They have tried the case and reached a verdict on every aspect."

"Yes," says McCloy, "'We know who killed cock robin.' That is the point. It isn't only who killed cock robin. Under the terms of reference, we have to go beyond that."

Did the commission go beyond that? Hardly. The commission didn't even give its staff a mandate to go beyond the FBI on this question. For a moment, it seemed as if it might: Senator Russell sums up the commission's dilemma. "It seems to me we have two alternatives," says Russell. "One is we can just accept the FBI's report and go on and write the report based on their findings and supported by the raw materials they have given us, or else we can go and try to run down some of these collateral rumors that have just not been dealt with directly in this raw material that we have."

The members seem inclined to want to go beyond the FBI. But then McCloy points out that some "sheet" he has in front of him (judging from a prior reference, it is probably a copy of Harold Feldman's probing article in the *Nation*, "Oswald and the FBI," January 27th, 1964) "is designed to be an attack on the FBI." Says McCloy, "We don't want to be in the position of attacking the FBI."

With this, the commission does a quick about-face. Forgetting their only client, truth, the commissioners agree that none of them wants to attack the FBI. They decide on a "marriage" of Senator Russell's two alternatives: They end up resolving to ask Hoover about the relationship between Oswald and the FBI *and* to perform their own independent investigation.

But the commission did very little independent investigation. Equating that with an attack on the FBI, the commission let the FBI investigate itself.

Rankin thought this was pretty controversial material. He confiscated the stenographers' notes of the January 22nd meeting—and they remain sealed to this day. Rankin specifically requested no stenotypist at all for the January 24th meeting with the Texas officials and filed an affidavit with Judge Gerhard Gesell's court in Washington in 1974 (when Harold Weisberg was suing to see the transcript) saying he had instruction from the Warren Commission to keep the January 27th meeting under a top-secret classification. Weisberg says there's nothing in any commission record to support Rankin.

[*The transcript of the Jan. 27th meeting is reprinted in Weisberg and Lesar's* Whitewash IV, *$6.25 from H. Weisberg, Rte. 8, Frederick, Md. 21701.*]

Senator Russell: The FBI "have tried the case and reached a verdict on every aspect." McCloy: "We don't want to be in the position of attacking the FBI."

Gerald Ford's Little White Lie

Classifying executive sessions of the Warren Commission meant little to one of the commission members, Representative Gerald Ford, who took the transcript of the January 27th meeting, blue-penciled all the parts of it that could have embarrassed anyone and used it as a basis for the first chapter of his book about Oswald, *Portrait of the Assassin*. Then he lied about it in his confirmation hearings for vice-president before the Senate Judiciary Committee on November 5th, 1973:

The chairman: Now, Mr. Ford, it has been stated that as a member of the Warren Commission, you voluntarily accepted the constraints which all the members of the commission accepted, providing that you would not publish or release any proceedings of the commission.

You did, however, in association with another, publish a book and provide material for a 'Life' magazine article on the proceedings of the commission. Do you feel this was a violation of your agreement?

Mr. Ford: To my best recollection, Mr. Chairman, there was no such agreement, but even if there was, the book that I published in conjunction with a member of my staff . . . we wrote the book, but we did not use in that book any material other than the material that was in the 26 volumes of testimony and exhibits that were subsequently made public and sold to the public generally.

The National Archives declassified the top-secret January 27th meeting seven months later, on June 12th, 1974, —eight years after Ford used the transcript in his own book.

—*R.B.K*

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III. The Serious Critics and Their New Evidence

Though Rankin tried to hide the material, some critics managed to dig it out. They learned to find their way around the National Archives, they studied the commission's working papers, compared drafts of the report's chapters and examined internal memos among the commission staffers and letters between the commission and the FBI.

Paul Hoch is one of these critics, a young man who got his Ph.D. in high-energy physics in 1974 from the University of California, now laying aside his physics research to work on a book which codifies evidence he has gathered through most of his student years. In the book (*The Oswald Papers: The FBI versus the Warren Commission*, still unfinished) Hoch shows how Hoover volunteered information to the commission only when necessary, tried to define the informant relationship out of existence, declined to answer substantive questions about the basis of the FBI's relationship to both Lee Harvey Oswald and Jack Ruby and presented flatly contradictory explanations to the Warren Commission without flinching. Hoch's highly documented and readable story shows how the commission knew Hoover was hiding something—and how the commission let him get away with it, "at considerable cost," concludes Hoch, "to the integrity of the investigation."

The best of the Warren Commission critics are as serious as Hoch and their names may well go down some day on an honor roll of those who cared enough to get involved: Vincent Salandria, Harold Weisberg, Sylvia Meagher, Josiah Thompson, Edward Jay Epstein, David Lifton, Lillian Castellano, Fred Newcomb, Perry Adams, Ray Marcus, Marjorie Field, Shirley Martin, Mary Ferrell, Richard Popkin, Bill Turner, Richard Sprague and the early Mark Lane.

Among the most important critics still hard at work and making new contributions are:

• Bernard Fensterwald, a successful Washington D.C. lawyer, who out of his own well-haberdashered pocket, finances the activities of something he calls the Committee to Investigate Assassinations, a loose confederation of citizens whose worry about the assassination of two Kennedys and a King was once signalized by the flag they printed on their metered mailings: Who Is Killing Our Leaders? Fensterwald helped set up a special assassination archive at Georgetown University and was the chief honcho for a conference at Georgetown on the tenth anniversary of JFK's assassination. With attorney James Lesar, he is handling legal appeals for James Earl Ray, having been brought into the Ray case by Harold Weisberg. Though Fensterwald has avoided entangling his assassination conspiracy theories with the Ray case, Weisberg says that was the strategy behind the move to get a new trial for Ray. "If we walk Ray, then the government will have to find Dr. King's real killers." This seems to be the committee's basic thrust: to push the government to find the real killers—of JFK, MLK, RFK.

• Dr. Cyril H. Wecht, coroner of Allegheny County (Pittsburgh) and director of the Institute of Forensic Sciences at Duquesne University, is the first pathologist outside the federal government to examine the assassination evidence at the National Archives. Trouble is, he reported in August 1972, the president's brain is missing from the medico-legal exhibits at the Archives. So are certain important skin sections taken from the point where bullets were supposed to have entered the scalp and upper back of JFK. So are photos of the sections. Nevertheless, even without the missing materials, Dr. Wecht concludes that the physical evidence which he has examined doesn't support the Warren Commission's findings. "More than one person," he says, "was involved in the shooting of President Kennedy."

Wecht says he bases his conclusion on an analysis of the famous single bullet (Commission Exhibit 399) which the Warren Commission said was supposed to have entered the right side of the president's back, coursed through the uppermost portions of the thorax and mediastinum and emerged just over the knot of the president's tie—then entered the right side of Governor Connally's back (breaking his right fifth rib), emerged from his chest, shattered a bone in his wrist and entered his left thigh. After all this the bullet had only lost two grains from its original weight and, said Wecht, the upper two centimeters of the bullet "show no grossly visible deformities, areas of mutilation, loss of substance or any kind of significant scathing." There is one small piece that was removed from the bullet's jacket by an FBI agent "for spectrographic analysis" (which analysis might show that JFK and Connally were not hit by the same bullet).

Furthermore, says Wecht, there was something strange about the trajectory of that bullet from the sixth floor of the Texas School Book Depository. It was supposed to have been traveling downward and passing through JFK from right to left. It should, therefore, have missed Governor Connally completely. Under the Warren Commission's hypothesis the bullet may have made an acute angular turn in midair. Wecht believes a second assassin may have been firing at JFK from the rear, possibly even from the front, but he says he cannot know for sure until he examines the materials that are missing.

• Robert Groden, a young expert in optics from New York City, has magnified the central part of each frame of the Zapruder film and produced what he calls a reframed copy. The result is like a new film of the assassination, made through a zoom lens, with much of the jiggle removed. Now, even more starkly than before, to the lay observer at least, it appears that the shot which took off the top of the president's head and splattered two trailing police motorcycles came from the front. The president's head clearly snaps back and to the left. Mrs. Kennedy's description of the president at that moment was deleted from her testimony as published by the Warren Commission, but her actual words, released by the Archives in 1972, may be significant here: "I was trying to hold his hair on. But from the front there was nothing. I suppose there must have been. But from the back you could see, you know, you were trying to hold his hair on and his skull on."

Groden, who reconstituted the Zapruder film from a pirated copy belonging to Time Inc., has had his film shown recently on scattered TV stations all over the U.S. and Canada. According

The Belin Connection

President Ford's choice of David W. Belin, an alumnus of the Warren Commission and chairman of Lawyers for Nixon-Agnew in 1968, as executive director of the Rockefeller Commission's "blue ribbon panel" may be a tip-off of the limits Ford and Rockefeller intended to place on the inquiry.

Few staffers on the Warren Commission seem as open to question as David Belin. In 1971, Sylvia Meagher, one of the most respected Warren Commission critics, charged that Belin suborned the perjury of an important witness in Dallas when the witness's testimony seemed helpful to a commission straining to find someone who could place Lee Harvey Oswald on the sixth floor of the Texas School Book Depository.

The witness was Charles Givens, a man who might have been an alibi witness for Oswald had Oswald lived to stand trial. For Givens told the FBI shortly after the assassination that he had last seen Oswald on the first floor of the Book Depository about 30 minutes before the shooting. Gradually, Givens changed his story (the FBI had quoted a Dallas police lieutenant to the effect that he thought Givens would change his story for money) and by the time Belin took Givens's testimony for the Warren Commission, Givens was saying he last saw Oswald on the sixth floor of the Book Depository, not the first.

With the original FBI interview in front of him, Belin was not about to look a gift horse in the mouth; when he heard Givens's revised account, Belin did not cross-examine Givens to determine why Givens's story had changed. Instead, he went ahead and, in the chapter of the Warren Report he co-drafted, used the newer version as the commission's only evidence that Oswald was on the sixth floor. (The section is assertively titled "Oswald's Presence on the Sixth Floor Approximately 35 Minutes before the Assassination.")

And what about the original FBI report, whose existence would have helped impeach the Givens testimony? Simple. The paperwork was handled so that the FBI report was excluded from the 26 volumes of evidence published two months after the Warren Report. Instead, this FBI report was routed directly to the National Archives, where it remained classified for several years. Sylvia Meagher found it in 1968.

Mrs. Meagher made her charges about Belin in an issue of the *Texas Observer* and the *Observer*'s editors printed Belin's answer in the same issue, characterizing it as "the slick, irrelevant reply of a lawyer who doesn't have much of a defense to present." Belin simply ignored the charges made by Mrs. Meagher, choosing instead to assure the readers that he was an honorable man and opposed to the Vietnam war. He threatened someday to write a book exposing "the distortions and omissions of the assassination sensationalists."

In 1973, Quadrangle Books (owned by the *New York Times*) helped Belin make good on the threat and published his supposedly definitive reply to the critics, *November 22, 1963: You Are the Jury*. The book is a rehash of the Warren Report, revealing little that is new other than Belin's poor critical judgment in evaluating evidence. He includes Givens's testimony as if no one had ever challenged its veracity. He omits mention of all Warren critics except Edward Jay Epstein and Mark Lane. He doesn't give Sylvia Meagher so much as a footnote. And he presents evidence of his own knowing bungling of another matter in Dallas, the shooting of Dallas policeman J.D. Tippit. To a witness of the Tippit shooting, Belin displayed what he thought then was a jacket left at the scene by Tippit's killer. "Yeah," said the witness, "I would say this looks just like it."

If it *was* the jacket, that would have been rather curious. Belin had made a mistake, mixing up Tippit's killer's jacket (which was gray) with a blue jacket lying on a stack of official exhibits, a jacket belonging to Oswald that had been found in the Book Depository. No matter. Belin could fix that. He changed the exhibit number in his book to make it appear that the witness had identified the right jacket, that is, the jacket left at the scene of the Tippit killing.

A small matter? Perhaps. But it shows that Belin is just the kind of man needed to come up with a preordained verdict on the CIA.

—Jerry Policoff

Jerry Policoff is a New York adman who has devoted much of his spare time to assassination research.

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to Groden, his blowup shows not only that President Kennedy was killed by a shot from the front (and therefore from a shot on or near the grassy knoll); it also shows the rifleman standing there on the grassy knoll holding the rifle up in the air as the presidential car disappears through the railroad underpass.

Interestingly enough, when Groden showed this film at Bernard Fensterwald's home in November 1973, neither he nor anyone else made any mention of a rifleman on the knoll. Groden says it wasn't until January 1974 that he started scanning the last 18 frames of his Zapruder film and then began to see that what he thought was the wheel well of the presidential Lincoln wasn't the wheel well at all, but the rifleman—"because the car was moving forward and the 'wheel well' was moving backward."

• David Lifton is an engineering-physics graduate of Cornell and a dropout from graduate school at UCLA who ought to have three doctorates by now in the disciplines he has picked up during ten years of work on the assassination: history, political science and historiography (a study of the way history is written). In 1967 Lifton did a 30,000-word analysis (with David Welsh) in *Ramparts* which argued that there were three assassins firing in Dealey Plaza on November 22nd, 1963.

In 1968, shortly after most of the transcripts of the Warren Commission executive sessions were declassified, Lifton published them privately as *Document Addendum to the Warren Report*. Lifton has served as a consultant to Dr. Cyril Wecht and it was he who provided the producers of *Executive Action* with the documentary record which supported that movie's attempt to prove how several assassination teams might have worked in Dallas. Lifton is a 35-year-old bachelor whose Brentwood apartment has 22 filing drawers on the assassination.

Lifton has a work in progress which challenges the authenticity of the evidence on which the Warren Commission based its major findings.

• George O'Toole, a former computer analyst for the CIA, has turned to a new technological tool as an important adjunct in his assassination research. The tool is [*Cont. on 37*]

The Mystery Tramps in Disguise?

Add Dick Gregory, the comedian turned activist, to a long list of assassination buffs who've been sleuthing around with a set of photos taken by three press photographers at Dallas, November 22nd, 1963.

The photos show three men, short, medium and tall, being led through Dealey Plaza by two Dallas policemen to the Dallas County Sheriff's Office. The cops released the men without, apparently, getting their names. "They were just tramps," the policemen were supposed to have said, "and we let 'em go."

For years, buffs looking for "the real killers of JFK" have been trying to identify the tramps. Richard Sprague, a computer scientist from New York and former board member of the Committee to Investigate Assassinations, has maintained that one of the tramps is a Minuteman from Washington D.C. named Fred Lee Crisman. Sprague dubbed the tramp of medium height "Frenchy" and it was Sprague who fed *Ramparts* and the *New York Times* the intelligence that "Frenchy" bore a startling resemblance to a widely circulated police sketch of a man wanted for the assassination of Martin Luther King in 1968.

In 1972, after years of trying to link up the tramp photos with, mainly, anti-Castro Cubans and some of their American compatriots, the buffs started scanning photos of the actors in the Watergate scenario. Could any of the Watergate crowd have been in Dallas? And if so . . . Eureka!, they said, the short guy was E. Howard Hunt and the tall one was Frank Sturgis.

The short man does bear a resemblance to current photos of Hunt, to be sure, but the tramp photos were taken in 1963, when Hunt was 45, and the short tramp looks at least 55. Some facial features of the tall tramp appear to bear some similarity to Sturgis's, the shape of the nose and chin most particularly. But the gestalt is different. The tall tramp is obviously Nordic and Sturgis is obviously Latin. Furthermore, there is a great disparity in height between the tall and the short tramps. The tall tramp seems to be at least eight inches taller than the short one. Sturgis seems to be no more than two or three inches taller than Hunt.

To the buffs wanting to believe, however, the photos were too good to drop. They "proved" a CIA complicity in the plot to kill Kennedy. Underground newspapers all over the country began to reprint the tramp photos, alongside those of Hunt and Sturgis, with the blatant assertions that the tramps *were* Hunt and Sturgis.

Two months ago, ROLLING STONE had the tramp photos examined by the Institute of Forensic Sciences in Oakland, California. There, criminologist Charles V. Morton measured the facial characteristics on comparison photos of Hunt and Sturgis and tramps and concluded that the tall tramp was definitely not Sturgis. The short tramp was probably not Hunt—though the details in the fuzzy photos of the short tramp were insufficient to provide Morton with an absolute basis for an opinion. However, reported Morton, "at least one definable characteristic appears to argue strongly against identity. This is the shape of the ear." According to Morton, the helix of the ear in the Hunt photos is concave and the helix of the ear of the short tramp is convex.

All this seemed somewhat superfluous in light of Hunt's angry denials to me that he was even in Dallas on November 22th, 1963. I found Hunt at the Hotel Sheraton Russell in New York in November. He told me where he was on November 22nd, 1963—in Washington, at a meeting of some CIA officials who could corroborate his presence there. Hunt said he'd given their names to the FBI, which grilled him rather recently about his whereabouts during most major political crimes of the last 50 years. Hunt added: "I'd like you to tell the world I've had these FBI interviews, so that your colleagues in the media would put some pressure on the FBI to reveal the results of their investigations. Those investigations would help clear my name." Hunt promised he'd sue anyone worth suing who charged that he was in Dallas in November 1963 or part of a plot to kill JFK.

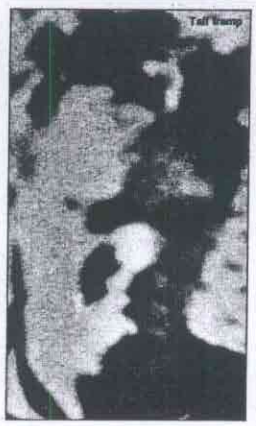
Hunt made similar disavowals on network TV and local TV shows during November 1974. Nevertheless, the tramp photos (with one of the tramps now labeled "Hunt") seem to have a life all their own, have become part of the collection of artifacts surrounding the JFK assassination mythology. Dick Gregory found the tramp photos circulating at the Assassination Information Bureau convention in early February, latched on to them (along with Robert Groden's Zapruder film blowup) and took tramp photos, Groden's blowup and Groden on the road.

Because Gregory is who he is, however, something of a folk hero who commands attention from the media, the Rockefeller Commission called Gregory to testify before it in Washington for a firsthand account of his charges. There Gregory stopped short of identifying the short tramp as Hunt but played the role of "aggrieved citizen." If this isn't Hunt, sajd Gregory, then the government has an obligation to tell us who it is.

—*R.B.K.*

November 22nd, 1963: in front of Texas School Book Depository.

Frank Sturgis



Tall tramp

Short tramp

E. Howard Hunt

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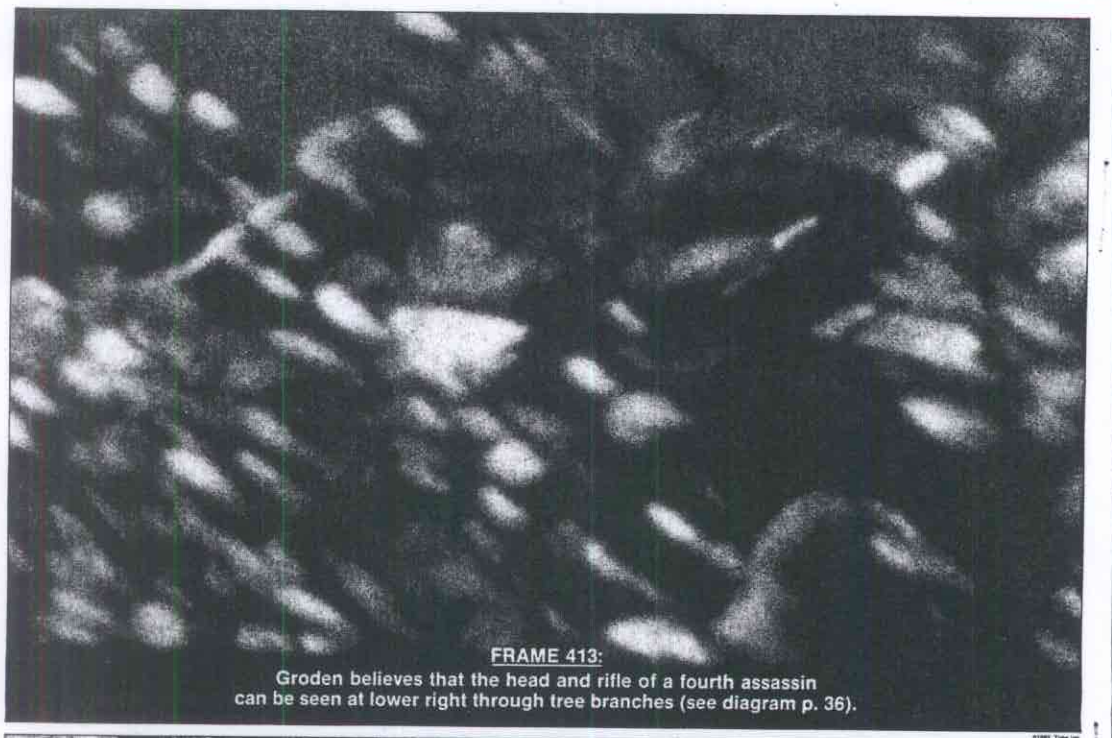
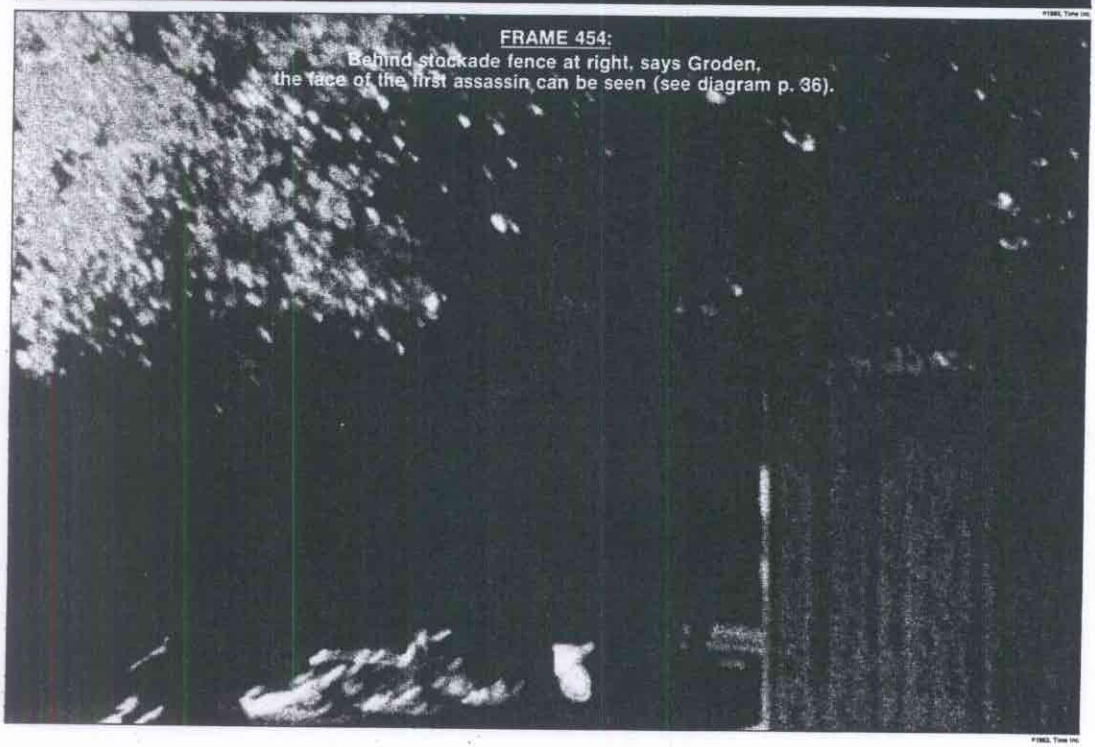


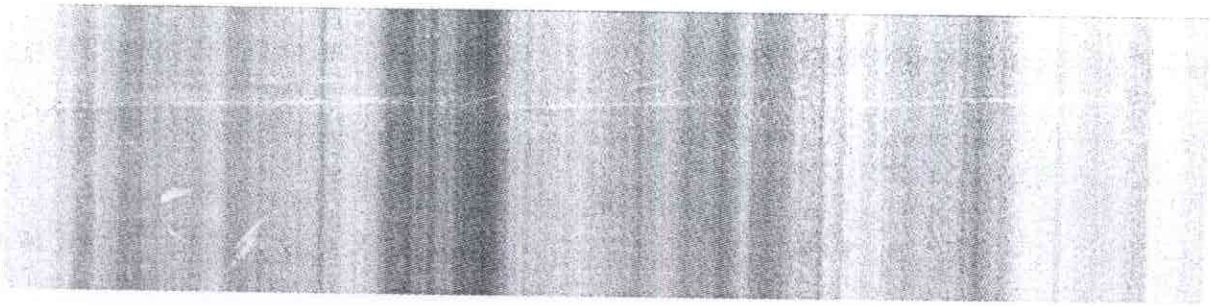
FRAME 413:
Groden believes that the head and rifle of a fourth assassin can be seen at lower right through tree branches (see diagram p. 36).

©1967, Time Inc.



FRAME 454:
Behind stockade fence at right, says Groden, the face of the first assassin can be seen (see diagram p. 36).

©1967, Time Inc.



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A New Look at the Zapruder Film

By Robert Groden

Robert Groden, an optics technician, has been working for almost nine years on a secret copy of the Abraham Zapruder film of John Fitzgerald Kennedy's assassination. Groden has magnified the film frame by frame, from which he has drawn the conclusion that the film offers absolute proof of crossfire and conspiracy. He first showed publicly the reframed film on January 31st, 1975, at the Assassination Information Bureau conference in Boston. Groden, 29, lives in New Jersey and works in New York City where he creates slides for industrial films and restores old photos.

The Warren Commission stated that:

1. Lee Harvey Oswald, alone and unassisted, shot President Kennedy to death and wounded Governor John B. Connally by firing three bullets at them from the sixth-floor easternmost window of the southern wall of the Texas School Book Depository Building (the Carroway-Byrd Building, 411 Elm Street, Dallas, Texas) with an Italian-made Mannlicher-Carcano 6.5mm rifle.

2. Three and only three shots were fired.

3. All of the shots were fired within a 5.6-second time span.

Abraham Zapruder was a Dallas dress manufacturer. On November 22nd, 1963, he stationed himself on top of a concrete pedestal which is part of an ornamental pergola near the middle of the Dealey Plaza section of Elm Street in downtown Dallas. With his secretary Marilyn Sitzman by his side and a Bell and Howell 8mm movie camera in his hands, he waited for the presidential motorcade to pass in front of him. As one of history's most ghastly and politically significant events was enacted before his eyes, Mr. Zapruder kept his finger pressed down on the shutter release and filmed the entire event. The result is a graphic film of a presidential assassination, a historical moment captured for posterity. But of far more importance: The Zapruder film provides absolute, incontestable proof of cross fire and conspiracy.

Zapruder died of cancer on August 30th, 1970, in Dallas. Between 1963 and 1968, *Life* magazine (the copyright owners of the film, having paid Zapruder somewhere between $150,000 and $250,000 for all commercial rights) printed many selected frames. For years it was to *Life* magazine that we looked for whatever photographic evidence we could find to investigate this case. But the selected individual frames, viewed out of context, mean very little.

The commission's "official" version of the events in Dealey Plaza states:

• Oswald fired his first shot between Zapruder frames #210 and #224 (the camera was running at 18.3 frames per second). This was safe for the commission, for during this entire time span President Kennedy was hidden from the view of Zapruder's camera by a large road sign. Therefore, an exact moment of impact is impossible to show. (The interval between firing and impact would have been one to two frames.)

• The second shot, missing completely, was fired at an unmentioned moment sometime later.

• Finally, a third and last shot at frame #313 was the shot that ended the president's life.

• The first shot struck the president in the base of his neck and exited from his throat. This same bullet then proceeded to hit Governor Connally in the back, shattering his fifth rib. It emerged from his chest, passed through his right wrist, shattering bones, and finally came to rest in Connally's left thigh. The bullet (some call it Superbullet) that inflicted these seven wounds and broke numerous bones was found in nearly perfect condition on a stretcher in Parkland Hospital. Its official designation is Commission Exhibit #399 (CE 399).

The account of CE 399's adventures has since become known as "the single bullet theory." It was postulated not because it was supported by evidence but because without a superbullet it was impossible to blame the shooting of the president on a lone assassin.

FBI tests prove conclusively that from the time President Kennedy would have first been visible from "Oswald's sniper's nest" (frame #207) until Governor Connally was shot at frame #234, the Mannlicher-Carcano could have only fired one bullet (a minimal 2.3 seconds is required for one shot). Since two shots could not have been fired from the one weapon in that time span, and since the commission did not admit the existence of another gunman, the commission was forced to conclude that JFK and Connally were hit by the same bullet.

The Zapruder film shows that by frame #224 JFK has already been hit. Connally is unharmed until frame #234, at least one-half of a second later. But when Connally was wounded, a rib was shattered at the moment of impact and his reaction is recorded on film. The time for the bullet to pass from Kennedy to Connally would have been at most two frames. There is no question that he was hit by a different bullet than the one that the commission says hit JFK.

The third bullet hit President Kennedy in the back of the head—and in violation of the laws of physics thrust him violently backwards. In the published frames of the Zapruder film in volume 18 of the commission's evidence, two frames, #314 and #315, were "accidentally" reversed, leaving the impression that the president's head moves forward—the reverse of fact. Interestingly this was the only transposition of frames. (J. Edgar Hoover later acknowledged the "printing error.")

President Kennedy's throat wound was a threat to the commission. If it was an entrance wound, of course, the commission members could not admit it. This small hole, consequently, gave them license to further the "single bullet theory." The only problem: The hole in the front of the neck was approximately six inches higher than the wound in the rear. Oswald was supposed to have been six floors above the motorcade. If the hole in the front of the neck was made by the egress of CE 399, it would have to have been at least three to four inches lower than the back wound.

Faced with this problem, the commission simply performed verbal plastic surgery—and moved the back wound *up* by six inches, to a point in the back of the president's neck, just to the right of center and above the shoulder blades. This wound was described by the many who saw it at Parkland Hospital. Every one of them, including Secret Service men, place the wound in JFK's back. None place it in his neck. These witnesses include Admiral George Burkley, the president's personal physician, who in his original report placed the wound at the level of the third thoracic vertebra, approximately six inches below the shoulder blades.

There will be many who will loudly disagree with my analysis of the Zapruder film here. I can only say that I've seen the Zapruder film literally thousands of times. I've lived with it for almost nine years. I've done more investigative and optical research on clear copies of the Zapruder film than any other private citizen or agency. The findings here are the culmination of years of work and study on this one subject. Although some of the findings published here are the work of others, many are my own, published here for the first time.

Frames #133-153

JFK waving to the crowd in front of Texas School Book Depository, wiping hair from in front of his face. All else is normal. The Lincoln is now approaching us.

Frame #154

JFK is looking to his left. His right arm is resting on the car door.

Frames #155 and #156 are missing

This is the first splice. Both the government and Time Inc. do not acknowledge that this splice exists. When the commission printed frames from the Zapruder film in volume 18 of its evidence, it began after this point to avoid questions. It is here that a "warning shot" is fired. In a split second JFK responds, and looks to his right to the road sign (frame #157) from where the "shot" was fired. It was probably *not* a bullet fired at anyone. It was, in all likelihood, a blank fired as a coordinating shot for the firing teams. JFK must have at that time known that something was up. Many witnesses have stated that there was a "different" sound to the "first shot."

It appears that JFK does not start to wave again until he feels that the sound was only a backfire, a firecracker or some similar sound, which were the descriptions of those witnesses reporting the sound of the "first shot."

Frame #189

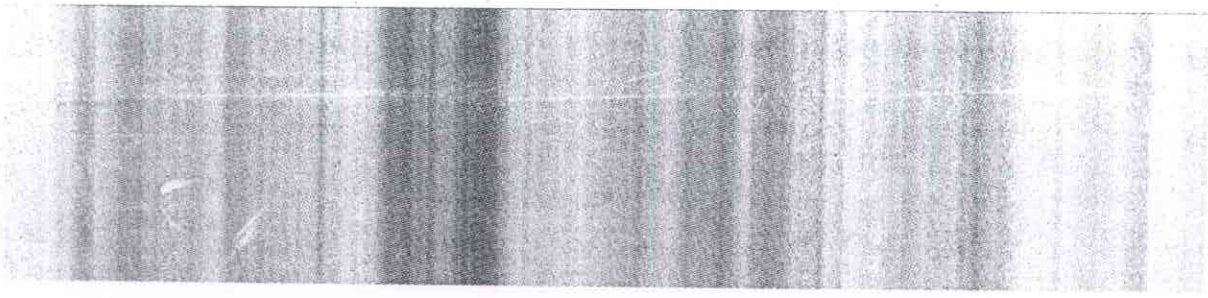
JFK starts to wave again slowly, nervously . . . until frame #188. At approximately frame #189 a shot (I) is fired. It misses the car completely. It was fired from behind. From all indications it was from a broom closet on the second floor of the Dal-Tex Building. The shot was high. It flew over the Lincoln and landed at the curb line on the far (south) side of Main Street—its closest point to Commerce Street, just east of the triple underpass. A section of curbing was struck by the bullet and a fragment of the concrete flew up and struck James Tague on the cheek. At this point JFK's right hand falls in an arc as he tries to comprehend what is happening.

Frame #206

JFK's arm has continued to drop at this point. His entire body is now obscured by the road sign announcing the Stemmons Freeway. Only his head is still visible.

At frame #207 we have one of the biggest points of discussion in the entire film. At #206 there is an obvious horizontal line running through the entire width of the frame just below the halfway mark. At frame #207 we have a similar line one-third of the way down. Only here there is a tree on the right side of the frame on the top section, but on the bottom, the tree is halfway to the middle. The reason is that frames #208, #209, #210 and #211 have been spliced out.

The official reason is that when the



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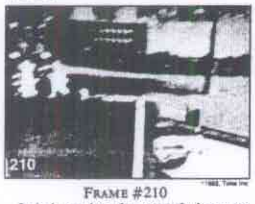
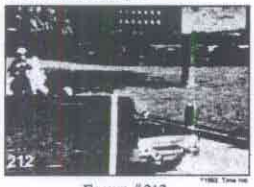
film was purchased by Time Inc., it was put in the hands of a junior member of the photographic department for enlarging purposes. It was during that process that the four frames were damaged. Also, frames #207 and #212 were damaged as well for the splicing.

In all there are ten missing or damaged frames in the film—not counting stress marks from the sprocket holes following the second splice (frame #212).



FRAME #210

It is here that the commission says JFK could have first been shot. For this is the first frame at which Lee Harvey Oswald could have fired at the president had he been on the sixth floor from the easternmost window. Prior to that point, there is a large oak tree blocking any line of fire from that window to the limousine. However, Oswald wasn't there, although someone else was. Someone in a red shirt who appears in an 8mm color movie takep by Robert Hughes is clearly seen moving in that window. There is also the moving shape of a man in the pair of windows next to "the sniper's nest" in the same room. This frame is also important because it is dead center among the missing frames between #207 and #212. This may be the reason it is missing: not for what it shows but for what it doesn't.



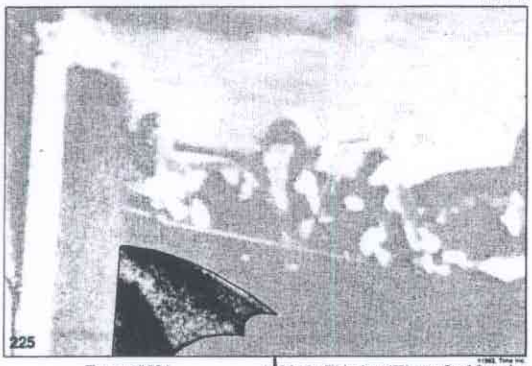
FRAME #212

Although it isn't generally known, the president's head is still visible after the splice. There has been no movement in the president's head. He was not hit at frame #210. The Warren Commission needed to have JFK hit as early as possible for Oswald to have a chance to get off a second and third shot by frame #313, but at the same time as late as possible for him to have been hit by the same bullet (CE 399) as Connally. If it were not for the oak tree and Zapruder's film, they might have succeeded in framing Oswald. But because of the tree they had to concede a first shot as late as #210.

Unfortunately for the commission, not one man in this entire country could duplicate the incredible feat attributed to Lee Harvey Oswald, who was, according to his Marine Corps records, "a rather poor shot."

The commission hired some of the nation's best marksmen, gave them every advantage, and they still couldn't duplicate the shots.

Right after the splice at frame #212, at the bottom of the frame and to the right of the sign we begin to pick up a strange object. By frame #221 it is clearly an open umbrella.



FRAME #224

JFK's left sleeve and shirt cuff now become visible from behind the road sign. As this happens, the umbrella starts to rise and twirl counterclockwise. This umbrella is being held by a conspirator now known for obvious reasons as "the umbrella man." This man is the only man in the entire motorcade route with an open umbrella. It was a sunshiny, windy day. Very impractical to have an open umbrella. Photographic evidence has shown that his umbrella was closed until JFK's car turned onto Elm Street. After the killing, while all around him ran away or dropped to the ground, he just stood there. He closed his umbrella, turned to look at the end of the motorcade, and slowly walked up Elm Street toward the Depository. He has never been identified.

Whenever a bullet actually strikes, and the moment is captured on film, this actual impact can be seen at the exact moment of contact. However, since JFK was behind the road sign (in relation to Abraham Zapruder's camera) we can't see the moment of contact.

We can only assume that he was hit at frame #218, give or take one, certainly no more than two frames. For as JFK becomes visible from behind the road sign at frame #223, his hands are still dropping in the arc started around frame #168. Allowing for one-third of a second for reaction time, with Zapruder's camera running at 18.3 frames per second, when his hands started to rise toward his neck in a protective motion at frame #225, we go back one-third of a second (7 frames) to frame #218. The bullet entered the president's throat after nicking the knot in his tie. This shot (II) was fired from behind the corner of a wooden stockade fence on the grassy knoll in front and to the right of JFK. It did not exit.

JFK's arms are still dropping as he is hit. At frame #225 he reacts. His arms rise in a protective motion toward his throat. The rising arms continue until frame # 227. At frame #227 a second shot (III) hits President Kennedy in the back, approximately six inches below the shoulder blades and just right of the spinal column. This was probably a second shot from the second floor of the Dal-Tex Building. The bullet entered, went in approximately two inches but did not exit. JFK is at this point compressed downward and pushed forward.

FRAME #234

Governor Connally is hit at this frame. His cheeks puff out as the bullet (IV) knocks the wind out of him. His right shoulder starts to droop and his hair becomes disarranged. This shot was probably fired from the sixth floor of the Depository Building's *western* corner, or from the roof of the County Records Building. The bullet enters his back, exits from his chest and enters his left knee.

FRAME #312

This is the last frame before the fatal shots.

FRAME #313

A shot (V) hits John Kennedy from behind in the right temple. At this point his head explodes. Since this was a glancing blow, he is thrown forward only slightly. I feel strongly that it was either this bullet or a fragment of it that caused Governor Connally's wrist wound.

FRAME #314

A high-powered rifle bullet (VI) entered JFK's head from the right front, throwing him violently backward and to his left against the seat towards his wife with such force it actually lifted him out of his seat. The rear shot was possibly a second shot from the sixth floor of the Depository near the *western* end. The shot from the front came from behind the corner of a low retaining wall that is an extension of the concrete pergola on the grassy knoll to the front of JFK.

The driver of the presidential limousine, William Greer, testified that he speeded up prior to the head shots and that he had been facing forward at the time. At the moment of the head shots, Greer appears to be looking *directly* at JFK's head! Only after the president was dead did he begin to accelerate. If it were only a slow reaction time, why this inaccuracy under oath?

Immediately after the head shots, both Greer and Roy Kellerman, the Secret Service guard next to him, duck their heads down in reaction to the shots. They both knew what had happened. The question here is why the total nonreaction of trained men.

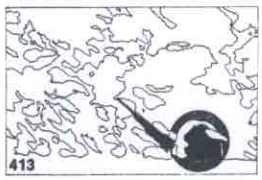
(Greer told the Warren Commission that he heard a sound which he took to be the backfire from one of the motorcycles flanking the presidential car. When he heard the same noise again, Greer said that he glanced over his shoulder and saw Governor Connally fall. It was then, he said, that he realized something was wrong and pressed down the accelerator as Kellerman said, "Get out of here fast.")

FRAME #345

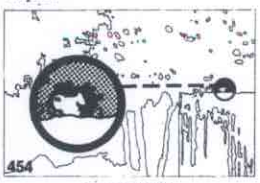
Jackie climbs out onto the trunk of the car to try to retrieve a section of her dead husband's head. A shock reaction. Secret Service agent Clint Hill finally reaches the car and climbs on at frame #367. He never reaches Jackie. She climbs back in by herself.

FRAME #407

Here another strange thing appears. It is round and near the bottom right of the frame. By frame #412 a man's head begins to become evident.



At frame #413 Zapruder stops panning for one frame, and the head, ears and rifle of the fourth assassin become clear. He then fades to the left as Zapruder pans right toward the triple underpass.



FRAME #448

Zapruder pans to the stockade fence on the grassy knoll. By frame #454 the first assassin can be made out with his backup man (not as clear). He stays visible until frame #478. At #486 Abraham Zapruder stopped filming.

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[*Cont. from 33*] something called a Psychological Stress Evaluator (PSE), a machine which a skilled operator can apply to anyone's recorded words and tell, by evaluating the stress patterns in the speech (seen on the machine's scanners as a series of mountains and valleys), whether that person is telling the truth or lying.

The PSE presents advantages over the old polygraph exam (which is why old-time polygraph examiners don't like it). A skilled PSE examiner can play the PSE game with remote subjects who don't even know they're participants. All O'Toole needed in order to find out whether some of the actors in the JFK assasssination scenario were telling the truth was access to old taped interviews they'd given out years ago. O'Toole found some of these — radio and television interviews with officials like Dr. J.J. Humes, who performed an autopsy on President Kennedy, and members of the Warren Commission and, most notably, Lee Harvey Oswald's hallway interviews in the Dallas police station. Where previously taped interviews didn't exist (especially in the case of certain witnesses in Dallas and members of the Dallas police), O'Toole played the role of a journalist doing a tenth-anniversary story on the assassination, went down to Texas with a tape recorder and got his own interviews.

In O'Toole's just released book, *The Assassination Tapes*, he contends that many of the principals in this case (even Justice Warren) were not telling the truth when they said they'd found no evidence of a conspiracy to assassinate President Kennedy.

And, most startling of all, that Lee Harvey Oswald *was* telling the truth when he said, to a nameless reporter in the Dallas police station who asked him whether he had shot the president, "I didn't shoot anybody, no sir."

IV. Lobbying for the Support of Congress

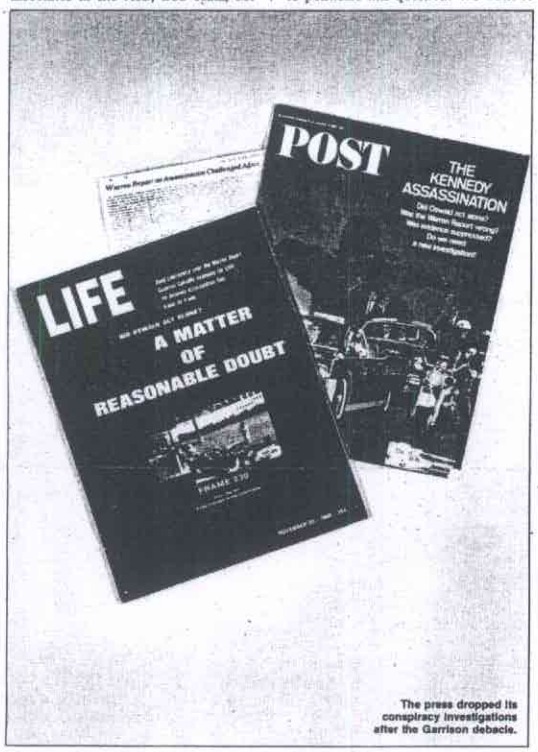
If Oswald didn't do it, who did? There are a lot of conspiracy theories. A congressional task force is needed to evaluate them all. If the agencies themselves, the Secret Service, the FBI, the CIA, Army and Navy Intelligence, are themselves an object of the investigation, then, quite obviously, we can't expect them (or anyone in the ranks of traditional law enforcement) to investigate themselves, or investigate anyone with old-boy ties to any part of the intelligence community.

And don't expect much from the Justice Department either. A group of Warren Commission critics, including Mary Ferrell of Dallas and Bernard Fensterwald, recently presented the U.S. Attorney's office in Dallas with evidence they'd gathered which they hoped would help reopen the case before federal courts in Dallas. Their project failed. Assistant U.S. Attorney Kenneth Mighell said he saw nothing new in the evidence they gave him.

The only likely forum is a congressional committee, which is being pushed by Representative Gonzalez—and you can expect no endorsing action by enough members of Congress unless and until public opinion keeps building.

Who will build it? There are various citizen lobbies at work. There's one active group in Washington D.C. under the leadership of Mark Lane and Marcus Raskin (who is director of the Institute for Policy Studies), an intelligent, liberal but unexciting group which has decided to talk quietly with individual congresspersons.

Then there's something else in Cambridge, Massachusetts, called the Assassination Information Bureau. The "bureau" consisted of five young men when I visited them last November. Their headquarters were in the home of Carl Oglesby on Arnold Circle in Cambridge. Oglesby, gaunt, articulate, a sometime instructor at MIT, is a former president of Students for a Democratic Society. He's 38 now, but his four associates in the AIB, Bob Katz, Michael Gee, Dave Williams and Harvey Yazijian, are all in their 20s.



The press dropped its conspiracy investigations after the Garrison debacle.

The group began with no particular political goal in mind. Bob Katz was a reporter in Boston who had done some reading on the JFK assassination and one day he worked up a little slide lecture and presented it to some students in Boston. After that, he got more invitations, mostly from college groups.

Katz and his friends started learning all they could about the assassination of JFK and the Warren Commission's investigation and they were puzzled and excited by what they heard. In the fall of 1973, after the Senate Watergate hearings, Katz, with the help of his buddies, went national with a slide lecture called "Who Killed JFK?"

"At first," says Dave Williams with disarming frankness, "it was just a gig. Just something to do. Maybe make a little money. Then we started getting more dates than one man could handle. We realized that the young people were hungry and thirsty for the truth. They had a feeling they'd been conned about the assassination. We put three teams on the road." In 1973 and 1974, the AIB hit more than 150 college campuses, from Maine to Hawaii. And the crowds kept getting bigger.

In the fall, after Nixon's demise and the succession of Gerald Ford, the kids crowded into the AIB lectures as never before. "You guys only charging $750?" said the campus honchos in charge of booking lecturers. "You're getting bigger crowds than anybody. You oughta charge more." The AIB didn't charge more.

Said Oglesby: "We think it's up to us to politicize this question. We want to take the information to a wide audience. We want the people at large to get so interested in answers that every presidential candidate in the '76 campaign will be forced to take a position on reopening the case. We want to make it a central issue of the campaign."

The AIB took a step toward that goal early in February by organizing a conference on the assassination. They assembled some of the nation's better-known critics for three days of open meetings and discussions. The list of invitees was hardly a safe one; the AIB invited some whose work has already been discredited as a passel of lies and/or paranoid fabrications. "It's all right," said Oglesby. "Competition for the truth is good, because it forces everyone to make the best possible case."

Oglesby looks to the Sixties for his model. "Our movement is likely to express itself like the Antiwar Movement did — with teach-ins all over the country."

Does Oglesby feel that veterans of the Antiwar Movement might get behind this drive to reopen the JFK case? "I don't know," says Oglesby. "So far, I'm the only one I know of from the Antiwar Movement who's into this. I've gotten some criticism, in fact, from some of my friends from the SDS. They wonder why I want to get involved. I tell them I want to get involved because I believe there was a coup d'état in 1963 which has influenced our politics ever since. Since then, we've had a history of clandestine politics in the U.S.—and we're fighting that, too."

V. The Press's Obligation

Who will force the issue? It must begin with the press. Without pressure from the press, government officials do little. Attorney General Richard Kleindienst promised that the Justice Department would attack Watergate with "the most extensive, thorough and complete investigation since the assassination of President Kennedy." The Justice Department did that—and went no further up the line than Gordon Liddy. But the press didn't accept that official truth as the whole truth. The *Washington Post* went after the story and so (later) did the rest of the national press. Finally and almost reluctantly Congress acted.

Now, 11 years after the assassination of President Kennedy, the press must get back on the story it was once covering. Back in August 1966, an aide to the Kennedys who had served as a speechwriter for both President Kennedy and President Johnson, Richard N. Goodwin, called for a reopening of the case—and added that other friends of the Kennedys agreed with him.

By early 1967, both *Life* and the *Saturday Evening Post* did stories blasting many of the Warren Report's conclusions. *Life* used frames from the Zapruder film to make a case for a new official investigation. And the *New York Times* organized a task force of reporters under Harrison Salisbury "to go back over all the areas of doubt and . . . eliminate them."

But Salisbury and his team didn't eliminate the areas of doubt. In a recent interview, Salisbury said his task force got about halfway through the investigation when a standing request he had made for a visa to Hanoi came through at last. He put the JFK project on the shelf ("I was the only one who held all the strings," he says, "and I didn't want to give the thing to anyone else") and flew off to Paris and Hanoi. Salisbury's dispatches from Hanoi caused a furor in Washington, and after he returned, he had to testify before congressional committees.

By April of 1967, Salisbury says, he and his team had simply "lost interest" in their JFK project. "Nobody told us to stop," he says. "We just felt that nobody cared."

But it was precisely at this time that New Orleans district attorney Jim Garrison indicted Clay Shaw (Garrison said he was CIA) for complicity in a plot to kill President Kennedy. Representatives of the press streamed into New Orleans from all over the world to see what Garrison really had. It turned out that he didn't have much. Salisbury doesn't remember that Garrison's activities were a factor in his decision to drop the investigation. As he tells it, there wasn't even an overt decision to drop it. He just had other things to do.

Gene Roberts, now executive editor

CAPITOL CHATTER

The folks who brought you the great campaign songs of 1972—such as that Ed Muskie New Hampshire hit, "When Polish Eyes Are Crying"—are not sparing President Ford. The boys on the bus, the Washington-based press corps that follows the president on his travels, recently penned a song you'll never hear on the radio.

"I have a very special feeling for Kansas," the president said to the Kansas State Legislature last month, "because Kansas is where Dorothy lived before she went to visit the wonderful land of Oz, where all kinds of strange, whimsical and unexpected things happened."

Aboard the press plane after Mr. Ford's appearance, national correspondents fashioned this ditty and sang it to the tune of "The Scarecrow's Song" from *The Wizard of Oz:*

I could while away the
hours, reflecting on
my powers,
While we go down
the drain.
I could spend like
Rockefeller, I
could talk like
Walter Heller,
If I only had a brain.

I could overcome
inflation, put gas
in every station,
And we would feel
no pain.
I could make the
Arabs cower, I
could be an
Eisenhower,
If I only had a brain.

Oh, gee, if I could be,
like Truman in his
prime;
Salty speeches
whipping Congress
into line,
Say "geothermal"
the first time.

I could hold down
grocery prices,
wipe out the
oil crisis,
Solve problems
with no strain.
I could do a lot
of thinkin',
I could be another
Lincoln,
If I only had a brain.

Last October, having toppled a president, the *Washington Post* trained its guns on Congress. Rumor had it that the Senate staff was overflowing with cronies and no-shows. The payrolls were all public record; an enterprising reporter had only to cross-check the pay sheets with the staff directory, make a few hundred phone calls to verify who really worked where and *voila!*, Senategate. Or so the editors predicted.

Reporter Steve Isaacs drew the assignment. Four months later, Isaacs hadn't turned up any no-shows, but he did have reams of documentation for some well-worn Hill clichés.

Nothing earthshaking, but arguably newsworthy. In a mammoth eight-part series, readers learned that Senator **Warren Magnuson** (D-Washington), who chairs the Commerce Committee, held most of his hearings in Washington state, not exactly the nation's center of commerce; that Washington state's other senator, **Scoop Jackson**, has converted much of his staff into a campaign subsidiary and has ripped off other staff from his colleagues.

But the unkindest cut went to **Ted Kennedy** (D-Massachusetts), whose panels have run some of the best investigations on Capitol Hill. Isaacs pointed to several aides paid through Kennedy's Administrative Practice and Procedure Subcommittee who work out of Kennedy's main office and he slammed the subcommittee for holding only one day of hearings on bills referred to it in 1974. But he didn't mention that the panel conducted some 30 days of hearings on Freedom of Information, electronic eavesdropping, the amnesty program, Indian education, oil leasing, charter fares and corruption in the Civil Aeronautics Board. There has been no correction in the *Post*.

The Isaacs series neatly served the purposes of Senate Rules Committee Chairman **Howard Cannon** (D-Nevada), a crony of the airline industry who had unsuccessfully tried to get Kennedy to lay off the CAB. When Teddy appeared before Rules for his annual staff appropriation, Chairman Cannon used the *Post* articles to excoriate Kennedy and threatened to take away much of his staff.

For the moment, the main accomplishment of the *Post* series has been Cannon's decision to freeze all committee budgets until next June, which effectively stalls plans by several activist panels to increase oversight and investigation of the executive branch.

The Teamsters Union seems to be escalating its campaign to organize migrant farmworkers and wipe out **Cesar Chavez**'s United Farm Workers Union. In recent months Teamster truck drivers have threatened to embargo liquor stores that abide by Chavez's boycott of Gallo wines and in the February edition of the *International Teamster* there was a full-page ad calling on union members to "Support the Nation's Farm Workers. BUY Lettuce, BUY Grapes."

The latest Democrat quietly to test the presidential waters **Birch Bayh** (D-Indiana) . . . Also in New Hampshire: **William Loeb**, the right-wing publisher of the *Manchester Union Leader* and the man whose vicious attacks helped destroy **Edmund Muskie** in 1972, has been giving big play to Alabama governor **George Wallace** in recent months. Loeb supported Los Angeles Mayor **Sam Yorty** in the 1972 primary . . . Representative **Robert Bauman** (R-Maryland) on Gerald Ford's chances in 1976: "If unemployment goes to ten percent, Ford will have all the strength of a Hershey bar in the August sun." . . . WIN buttons, which once were peddled free by the Ford administration, are now being sold for 50¢ outside Washington landmarks. The vendors say the WIN buttons aren't moving very well but old Nixon/Agnew buttons are big sellers.

Lieutenant **William Calley**, the latest in the current crop of convicted felons to hit the lecture circuit, tried to bar the press from his first stop, Murray State University in Kentucky, but was foiled by the latest in TV technology. Calley's speech was delayed for 20 minutes after he ordered the TV lights removed, but CBS and NBC used their unobtrusive minicam—a videotape camera that doesn't need bright lights — to record the proceedings anyway. "Nobody tells us not to run," said CBS New York producer Ron Bonn. Calley, meanwhile, didn't shed all that much light at the end of the tunnel: He said he would not stand "responsible, but I will stand accountable" for the My Lai massacre. He also admitted that his first dead Vietnamese was a "she" and that he learned that "communists do come in human form." He was paid $2000 for this.

The net results of the Senate Watergate committee's hearings appear to be 33 indictments, 16 prison terms, 32 corporate violations of campaign laws, one election to the office of attorney general of North Carolina (Sam Ervin's aide **Rufus Edmisten**) and Senate bill 495.

Senate bill 495, now pending before the Senate Government Operations Committee, contains the legislative recommendations of the Watergate committee. It would create an office of the public attorney (sort of a permanent special prosecutor), create a congressional legal service (giving Congress a litigation arm), regulate executive branch access to Internal Revenue Service materials and provide for annual disclosure of income and assets by the president and vice-president. Hearings are scheduled for late April. Maybe. Senator **Abraham Ribicoff** (D-Connecticut) promised Senator Ervin he would hold hearings on the package but wants to work on the Consumer Protection Agency before dealing with Watergate legislation.

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of the *Philadelphia Inquirer*, was a member of Salisbury's team. He says now, "We took all the critics' complaints and we did our own investigation and we couldn't find anything that really held up." Martin Waldron, still a reporter for the *Times* in Texas, was another member of the team. He says that he and others came up with "a *lot* of unanswered questions." He doesn't know why the *Times* didn't bother to pursue them. He says he's not even sure that the *Times* ever made much of a decision to start looking in the first place. "I'd be off on a good lead and then somebody'd call me off and send me out to California on another story or something. We never really detached anyone for this. We weren't really serious."

After reporters from the national press saw Garrison at work (and the menagerie of assassination freaks that seemed to hover around Garrison), the media in general began to have less and less time and space for assassination stories. Editors began to classify every conspiracy theorist as a nut. Says the *Washington Post*'s executive editor, Benjamin Bradlee, explaining why he has yet to put an investigative team on the JFK assassination story, "Ron Kessler did a recent story knocking down the second gun theory in the Robert Kennedy assassination and nuts from both coasts were all over me. Letters, telegrams, phone calls, personal visits. I've been up to my ass in lunatics." Bradlee's failure to commit the reportorial and financial resources of the *Post* (which also owns *Newsweek*) to any methodical investigation during the last dozen years is especially puzzling in view of the *Post*'s courageous handling of Watergate and the intimate friendship Bradlee had with President Kennedy.

Editors, of course, sometimes categorize movements by pinning pejorative labels on the most extreme elements in each movement. Warren Commission critics became "paranoid conspiracy freaks" and, by the time Martin Luther King and Robert Kennedy died at the hands of other assassins, the press was already committed to ignoring conspiracy talk. Quick denials of a conspiracy, in fact, became part of government protocol. The government only wanted to deal with murders by lone psychotics. And the press, relying too much on "official truth," went along. Says Ben Bradlee: "Back in 1965, Russ Wiggins, the man I replaced here at the *Washington Post*, told me there'd never be an end to this story [on the JFK assassination]. He said, 'Unless you can find someone who wants to devote his life to it, forget it.'"

But perhaps that is exactly the kind of journalistic commitment which is needed. American newsrooms are full of men and women who have devoted their lives to the police beat. Watergate was a police story which took years to unfold; the assassination of John F. Kennedy is the biggest police story of them all. If it takes decades to tell it, then decades must be devoted to its telling.

In the assassination of President Kennedy, the major question today is: Did the FBI and the CIA (or any other governmental agency) withhold important information from the Warren Commission? It is a question the press must ask —over and over again—until the people have a credible answer.